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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,863	10/30/2003	Hiroyuki Nagano	024016-00072	6686
4372	7590	06/20/2007		
ARENT FOX PLLC 1050 CONNECTICUT AVENUE, N.W. SUITE 400 WASHINGTON, DC 20036			EXAMINER LEIVA, FRANK M	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 06/20/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/695,863

Applicant(s)

NAGANO, HIROYUKI

Examiner

Frank M. Leiva

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 02/13/2004; 03/14/2006.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on 10/30/2002 is noted, however, that applicant has not filed a certified copy of the Japan 2002-316732 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-3, 14 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Koester et al (US 4,475,564) herein after Koester.**
3. **Regarding claims 1-13 and 15;** Koester discloses:
 - a. A gaming machine with a game medium insertion part through which a game medium is inserted in a cabinet.
 - b. A game medium accumulating part for accumulating the game medium inserted from the game medium insertion part.
 - c. A straddling device for straddling the game medium inserted from the game medium insertion part to one of the game medium accumulating part and a game medium paying out part.
 - d. A straddling member rotatably supported in the cabinet, the straddling member having a first guiding part through which the game medium is guided to the game medium accumulating part and a second guiding part through which the game medium is guided to the game medium paying out part.
 - e. A driving device for rotating the straddling member.
 - f. A first rotational position and a second rotational position, wherein the straddling member straddles the game medium to the game medium accumulating

part through the first guiding part while retained in the first rotational position by the driving device; and wherein the straddling member straddles the game medium to the game medium paying out part through the second guiding part while retained in the second rotational position by the driving device.

- g. A first guide path for guiding the game medium inserted from the game medium insertion part to the straddling device.
- h. A second guide path for guiding the game medium to the game medium accumulating part from the straddling device.
- i. A third guide path for guiding the game medium to the game medium paying out part from the straddling device.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koester.**

6. **Regarding claim 14; Koester discloses** all the limitations recited in claims 1 from which claims 14 depend on, although Koester is silent about the use of light hard synthetic resin material. The examiner takes **Official Notice** on the fact that it is well known to make most of the parts of a gaming machine out of plastic (synthetic resin), to reduce the weight and cost of manufacturing.

7. **Claims 4-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koester in view of Carmichael (US 2002/0100659 A1), herein after Carmichael.**

8. **Regarding claims 4-13; Koester discloses** all the limitations recited in claims 1-3 from which claims 4-13 depend on. Including:

- j. A magnetic solenoid with a movable rod, the magnetic solenoid being installed in the retaining member; and a connecting shaft for connecting an end of the movable rod and the connecting hole; wherein the straddling member is rotated around the support shafts by moving the movable rod to magnetize the magnetic solenoid, (Fig. 4).
- k. Wherein the first guiding part formed comprises a part of the second guide path when the straddling member is retained to the first rotational position, (Fig. 1 and 4).
- l. Wherein the second guiding part formed in the straddling member comprises a part of the third guide path when the straddling member is retained to the second rotational position, (Fig. 1 and 4).
- m. Wherein the first guiding part of the straddling member is constructed of a tubular guiding part formed in the straddling member.
- n. Where in the tubular guiding part of the straddling member closes an opening of the third guide path when the straddling member is retained to the first rotational position, (Fig. 1 and 4).
- o. Where in the tubular guiding part of the straddling member closes an opening of the second guide path when the straddling member is retained to the second rotational position, (Fig. 1 and 4).
- p. A retaining member installed adjacent to the game medium guide member in the frame; support shafts formed on both side walls of the straddling member so as to outwardly project from the side walls, the support shafts being rotatably supported in the retaining member; wherein the straddling member is rotatably supported in the retaining member by the support shafts, (Fig. 1 and 4).
- q. The gaming machine according to claim 10, wherein the support shafts are positioned at a substantially right under position of a fall position of the game medium falling from the first guide path after guided thereby, (Fig. 1).

9. Koester is silent about mounting the coin guides on the rear of the front door, and a coin acceptor mechanism on the door.

10. Carmichael discloses supporting all of the coin mechanisms from the front door assembly. It also discloses:

r. The mechanism attached to the rear section of the front door of the cabinet, (fig. 3 and description).

s. A detecting device for detecting whether the game medium is true or not, the detecting device being installed in the retaining member; wherein the straddling member is retained to the first rotational position by the driving device when the detecting device detects that the game medium is true, and wherein the straddling member is retained to the second rotational position by the driving device when the detecting device detects that the game medium is not true, Fig. 3 and description).

11. It would have been obvious to one of ordinary skill in the art at the time of Koester's invention to support the mechanisms of the coin path on the door, since the coin entry is located in the front of the game and no other support structure would be required, also facilitates working inside the game for hopper fills and other repairs since when opening the door all the structures moves away from the opening of the game.

Citation of Prior Art

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ward (US 6,042,115), drop cabinet and machine diagrammed. Smith et al (US 5,535,872 and US 5,676,234), coin diverter plate. Cole (US 2002/0019210 A1), coin chutes and guides mechanisms.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frank M. Leiva whose telephone number is (571) 272-2460. The examiner can normally be reached on M-Th 8:30am - 5:pm.

Art Unit: 3714

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FML

06/15/2007



Robert E Pezzuto

Supervisory Patent Examiner

Art Unit 3714